

Federal Communications Commission (FCC)
C/O
Magalie Roman Salas
Office of the Secretary
TW-A306
Federal Communications Commission
445 12th Street, S.W.
Room 2C223,
Washington, D.C. 20554

Re: MM Docket No. 99-25

Dear Folks,

We took it with great cheer down here in Texas when we heard that y'all were taking our suggestion to create Low Power Frequency Modulation (LPFM) stations. And don't y'all think that since we are some of the last to file comments we don't care, we do care very much, but as one of the presently broadcasting LPFM stations with more local programmers, over 75 shows per week with two to three people per show, then any station in the United States of America we were cautious in deciding how to format our comments. So here is our list of comments of how this new LPFM stuff should be set up.

1. A investigation by the anti-trust division of the United States Justice Department to confirm monopoly take over of public airwaves by corporations on the FM frequencies at the expense of freedom of speech of the citizens of the United States of America in collusion with the National Association of Broadcasters and the Federal Communication Commission (FCC).
2. A review by the Supreme Court of the United States of America on violations of that courts opinions involving the Red Lion case and the National Broadcasting Corporation as to monopoly take over of the public air waves of the FM frequency by corporations and to review if the Federal Communication Commission has become servile to corporate interests at the expense of the "public interest", with arguments to be made by the National Lawyer's Guild and other interested parties including existing LPFM stations.
3. Removal of any commercial FM broadcasting stations and their license that have been bought or transferred that license as if that license was "real property".

4. Reduce all FM licenses commercial and non-commercial to 100 watts, 1 to 5 watt neighborhood stations and up to 100 watts for city wide or countywide stations.
5. All new LPFM stations no more than 100 watts, 1 to 5 watt neighborhood stations and up to 100 watts for city wide or county wide stations.
6. No station owners outside the community of the station of origin.
7. No individual private broadcasting without offering community access of at least 75 percent of the on air hours.
8. No person can be involved with ownership of more than one station.
9. No federal registration, restriction or jurisdiction if operating intrastate. To be regulated by those states, counties and cities in accordance with prior U.S. Supreme Court guidelines. If the state chooses not to regulate the FM frequency through a state communication commission then the Federal Government can assist to set up regional radio districts that will supervise broadcasting in that region following these suggested comments and U.S. Supreme Court guidelines. No federal interference on intra-state transmissions.
10. All FM license to be non-commercial; present commercial stations reduced to 100 watts and one year of commercial then same as all LPFM
11. All cities and the citizens within those cities have access to full band of FM frequencies.
12. All commercial radio on AM only, no commercials on FM frequencies.
13. Cities shall maintain one 100-watt citywide station per 500,000 residents or at least four citywide 100-watt stations per city, and give access to citizens on the same basis as microKind radio. First come first served. These stations will be community access. The city can use no more than two hours in the morning and two in the evening per day for their own

broadcasting, excluding city council meetings and emergencies. Cities can make funds available to others to setup city access stations and operate them on the cities behalf.

14. Counties in rural areas shall maintain at least one 100-watt countywide station per 50,000 residents or at least four 100-watt countywide stations per county as community access on a first come first serve basis. The county can use no more then two hours in the morning and two in the evening per day for their own broadcasting, excluding Commissioner Court meetings and emergency situations. Counties can make funds available to others to setup county access stations and operate them on the county's behalf.
15. All other stations within the county or city shall be owned and operated by individuals, associations, alternative news groups, partnerships, ad hoc groups and, in some special cases, non-profit corporations.
16. LPFM stations should have lower standards then second and third adjacent channel protection since all stations on the FM frequency band will be only 100 watts they could have just first adjacent channel protection and open hundreds of channels for citizens.
17. No Corporation shall be allowed to own any type of FM license, in special cases possibly a non-profit corporation.
18. No sale or transfer of any FM stations licenses.
19. At least three quarters of all programming shall be locally originated.
20. All stations shall have a policy to allow public access to program shows and all stations shall allow at least 75 percent of their broadcast hours be available to the public citizen on a first come first serve basis with a one year show guarantee. Non- profit corporations could fill open shows after this point then and only then.
21. If two or more people apply for an open frequency on a full city or county spectrum then either a first come first serve or a divided license. Licenses issued on this level will have first

priority on opening of non-divided occupied license; the length of the full time license will not be reduced from five years in these cases.

22. All LPFM stations presently operating, as non-commercial shall be given an immediate waiver and on issuing of license shall receive a license above all other applicants. Full amnesty for all present LPFM broadcasters.
23. Any station shut down by the FCC shall be returned their equipment and compensated for any damage to said equipment as well as one hundred dollars per day for every day they were off the air. Also a public apology from the FCC in local papers, TV and new LPFM stations for violating the rights of citizens of the United States of America practicing their rights to freedom of speech in a public forum.
24. No license shall be issued for more then five years and only renewed if no challenge exists to the city or county license.
25. Programmers must adhere to community standards in regards to speech.
26. There must be “on air” access to phone callers during all shows. Our rule is that all callers are allowed at least fifteen seconds “live on air”.
27. Programmers must donate one dollar for each hour of show time to help defray station expenses.
28. All other monies must be raised through fundraisers or direct contributions.
29. There should be 1-10 watt neighborhood stations and up to 100 watt for city wide or countywide stations. (NO FM stations larger then 100wats.)
30. No federal censorship or control on how programmers run their show.
31. The height of the antenna shall be in accord with all local building codes and can not be of such a height as to cause interference with another station.

32. The owner of the station can over ride any show for emergency weather or other conditions that warrant public knowledge.
33. LPFM stations shall assist in all emergency situations from city, county, state, and federal governments.
34. Because of the importance of national security the Army Corp of Engineers shall assist with equipment and expertise for any station that receives a license but can not afford the equipment. The Army Corp of Engineers shall assist any station free of charge with any physical or technical difficulties, repairs or construction based of the needs of that station
35. Congress shall appropriate any and all funds, from the Defense Budget, for funding the new LPFM citizen/public access stations onto the FM airwaves including the Army Corp of Engineers and all necessary equipment and salaries to re-establish this public forum of free speech for public community access to at least the FM frequency band. Congress shall appropriate as much funding for the Justice Department, to include but not limited to the Federal Bureau of Investigation, the Anti-trust Division as well as other divisions of the United States government to include, but not limited to, the Internal Revenue Service and if necessary because of foreign financial influence the Central Intelligence Agency because of the importance of national security with the citizens airwaves on the FM frequency band, to investigate the issue of monopoly corporate takeover of the constitutionally protected radio airwaves of the citizens of the United States of America and whether the Federal Communication Commission has been servile to the corporate interests, both foreign and domestic, in allowing this corporate monopoly to take over the FM airwaves. Should this investigation reveal corporate monopolistic take over of the FM airwaves Congress shall impose a “Civil Rights Windfall Profit Tax” on the said corporations of not less then 75 percent of there profits and not more then 95 percent and 75 percent of , but not more then, the salaries of involved officers of said corporations from their own funds.
36. Should the Federal Communication Commission be found to have been servile to corporate interests, the Federal Communications Commission shall as penalty pay the sum of \$1000.00

to all micro stations that received notice to cease operations, to repay damages of stress and worry to those individuals that operate those stations.

We here at micro Kind Radio San Marcos have a lot of suggestions for the advancement of community radio, based in large part from the vast experience of operating a non-commercial, alternative media owned, public access, non-formatted, free-style LPFM station for over two years with over 75 shows a week and, more often then not, with three or more people per show. These ideas are not easily expressed in formal written comments and need to be expressed in verbal dialogue so questions can be asked and answered. (I'd hate to have a heart surgeon that received all his knowledge from the written word, how about you?) Anyway we think y'all need to have hearings on the subject and include all present broadcasters of LPFM. If our government can have constructive dialogue with foreign nations we bomb, we feel that same government can have dialogues with citizens practicing freedom of speech even though you have labeled them "pirates". Ya' know there are others that view it more as Robin Hood radio, only criminal because of a bad King.

In liberty,

Jeffrey "Zeal" Stefanoff
Joe Ptak
David Leder
Co-owner and co-director of
microKind Radio San Marcos
103.9FM and 105.9FM
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Hays County Guardian